

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DIANA CREWS,

Plaintiff,

v.

PLATOLENE 500, Inc.,

Defendant.

Case No. 05-CV-4033-JPG

MEMORANDUM AND ORDER

GILBERT, District Judge:

This matter comes before the Court on defendant Platolene 500, Inc.'s ("Platolene") Motion for Summary Judgment (Doc. 14). Platolene filed this motion on January 12, 2006, and plaintiff Diana Crews ("Crews") has failed to respond. On March 29, 2006, this Court ordered (Doc. 16) Crews to show cause on or before April 10, 2006, why it should not construe her failure to respond to the motion as an admission of its merits, grant the motion and enter judgment against her. *See* S.D. Ill. Local R. 7.1(c). Alternatively, the Court gave her until April 10, 2006, to show cause why the Court should not consider her failure to respond to the motion as a failure to prosecute and therefore dismiss her action for want of prosecution. *See* Fed.R.Civ.P. 41(b); *In re Bluestein & Co.*, 68 F.3d 1022, 1025 (7th Cir. 1995) ("District courts possess the inherent authority to dismiss a case sua sponte for want of prosecution as part of the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.") (internal quotations and citations omitted). Crews failed to respond to the show cause order. Therefore, pursuant to that order, the Court construes her failure to respond to the motion as an admission of its merits. As Platolene has shown it is entitled to relief in its motion and Crews has admitted as much, the Court

GRANTS the motion (Doc. 14). As such, Crews' claims against Platolene are **DISMISSED WITH PREJUDICE**. Alternatively, the Court construes her failure to respond to the motion as a failure to prosecute and hereby **DISMISSES the case FOR WANT OF PROSECUTION**.

IT IS SO ORDERED.

Dated: April 13, 2006.

/s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge